

### REMARKS

This application has been reviewed in light of the Office Action dated December 15, 2005. Claims 1-37 are pending in this application, of which Claims 1, 13, 17, 18, 19 and 26 are in independent form. Claim 13 has been amended to define still more clearly what Applicants regard as their invention. Claims 14, 15 and 16 have been amended as to matters of form.

Applicants note with appreciation the allowance of Claims 17-27 and the indication that Claims 5-7, 9-11, 15 and 16 would be allowable if rewritten so as not to depend from a rejected claim, and with no change in scope. The latter claims have not been so rewritten because, for the reasons given below, the respective base claim of each is believed to be allowable.

Claims 1-4, 8 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,187,736 (Moriizumi).

Claims 13 and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,408,057 B1 (Lee).

The rejection of Claims 1-4, 8 and 12 based on Morizumi will be discussed first.

Claim 1 is directed to a communication apparatus including: (1) a first communication means for connecting to a telephone line and thus performing communications; (2) connecting means for connecting second communication means which connects to the telephone line via the first communication means and thus performing communications; (3) first switch means for connecting the telephone line to the first communication means or the second communication means; (4) first route means for connecting the second communication means to the telephone line via the first switch means; (5) second route means for connecting the second communication means directly to the telephone line; (6) second switch means for connecting the second communication

means to the first route means or the second route means; (7) first hook detecting means connected to the first route means; and (8) second hook detecting means connected between the telephone line of the second route means and the second switch means.

Among other notable features of Claim 1 are (1) first route means for connecting the second communication means to the telephone line via the first switch means and (2) second route means for connecting the second communication means directly to the telephone line. By virtue of the structure recited in Claim 1, there are two routes through which the second communication means can be connected to the telephone line.

In contrast, Moriizumi relates to a communication control system having a control circuit 17 wherein a telephone 4 (which the Office Action equates with the second communication means of Claim 1) can only be connected to the telephone line through a single route. In particular, the control circuit 17 of Moriizumi includes relays 21 and 22, off-hook detectors 23 and 24, a call signal detector 25, a call signal generator 26, a transformer 27 and a capacitor 28. The control circuit 17 is electrically connected to external transmission lines L1 and L2 and telephone unit 4.

When movable member 22a of relay 22 is connected to contact 22b (which the Office Action equates with the second route means of Claim 1), the telephone unit 4 is connected to the external lines L1 and L2 (column 4, lines 20-23). When the movable member 22a of relay 22 is connected to contact 22c (which the Office Action equates with the first route means), the telephone unit 4 is connected to the call signal generator 26 (column 4, lines 23-26). Thus, in Moriizumi, there is only one route (contact 22b) through which the telephone unit can be connected to the telephone line. Applicants have found nothing in Moriizumi that would teach or suggest “first route means for connecting said second communication means to the telephone line via said first switch means” and “second route means for connecting said second communication means directly to the telephone line,” as recited in Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 13.

The rejection of Claims 13 and 14 based on Lee will now be discussed.

As shown above, Applicants have amended independent Claim 13 in terms that more clearly define what they regard as their invention. Applicants submit that this amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 13 is directed to a communication apparatus capable of dialing from the communication apparatus in a state where a telephone set is connected and a handset is off-hooked. The communication apparatus includes line connecting/disconnecting means for connecting/disconnecting the handset to/from a line and hook state detecting means for detecting a hook state of the handset from a line current. Also included is control means for causing the line connecting/disconnecting means to disconnect the handset from the line in the process of transmitting a dial digit signal, and for, during the time period between digits of the dial signal, causing the line connecting/disconnecting means to connect the handset to the line and then causing the hook state detecting means to detect a hook state of the handset.

Among other notable features of Claim 13 is control means for causing the line connecting/disconnecting means to disconnect the handset from the line in the process of transmitting a dial digit signal, and for, during the time period between digits of the dial signal, causing the line connecting/disconnecting means to connect the handset to the line and then causing the hook state detecting means to detect a hook state of the handset. By virtue of the structure recited in Claim 13, the apparatus can detect the hook state of the handset using the power from the communication line even during the process of sending the dial digit signal, and can also prevent the power for the dial signal from being drawn to

the telephone set, thereby avoiding a reduction of power for sending the dial signal to the communication line and potential failure of a dial signal from reaching the exchanger unit.

Lee relates to a line interface circuit including a circuit configuration having a dialer, a line interface unit and a DC masking circuit adapted to execute a dialing operation without switching between two different dialers and two different line interface units. Lee discusses transmitting a dial signal while a handset is connected to a telephone line. However, Applicants have found nothing in Lee that would teach or suggest “control means for causing said line connecting/disconnecting means to disconnect the handset from the line in the process of transmitting a dial digit signal, and for, during the time period between digits of the dial signal, causing said line connecting/disconnecting means to connect the handset to the line and then causing said hook state detecting means to detect a hook state of the handset,” as recited in Claim 13.

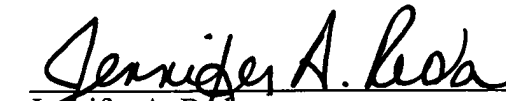
A review of the other art of record has failed to reveal anything which, in Applicants’ opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 13.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are, therefore, believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request early and favorable continued examination of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Jennifer A. Reda  
Attorney for Applicants  
Registration No. 57,840

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 545408v1